

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1714

In re Patent Application of
SUMIMOTO et al.

Serial No. 09/729,927

Filed: December 6, 2000

For: FLAME RETARDANT THERMOPLASTIC RESIN
COMPOSITION



Atty. Ref.: 1417-333

Group: 1714

Examiner:

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AUG 07 2001
TC 1700

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August 3, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REQUEST TO CONSOLIDATE APPLICATIONS

It appears the Office has created two files for the same application. I refer first to the application identified above as Serial No. 09/729,927 filed December 6, 2000 – this is **correct** as it is based on an unsigned application filed on that date.

Later the Office issued a Notice of File Missing Parts dated January 29, 2001. However, when I responded to this Notice to file Missing Parts and submitted a filing fee and inventors' declaration (plus a certified copy of the priority application, an Information Disclosure Statement and an Assignment) the Office received these papers and created a **second** application file identified as Serial No. 09/777,878 and assigned a "filing" date of February 7, 2001. This is **NOT** correct.

Apparently there exist two patent application files with similar contents directed to the exact same subject matter with the same specification and claims.

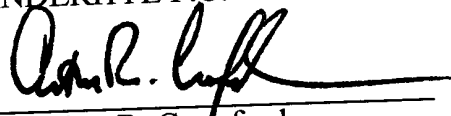
It is only the application filed in December 6, 2000, that is Serial No. 09/729,927, that is the correct one.

Please would you review these comments and merge the two files into the file of the above-captioned application. Please feel free to contact me at the number listed below if you require any further information or documentation. I hesitate to file anything beyond this paper in fear of creating additional confusion (if that can be possible).

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

ARC:pfc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100